

electricity, no extensive view will ever be taken even in the clearest water. The divers at work in making the new Folkestone harbour told us that, at the best of times, when the water was at its clearest, they could never see anything many yards from their point of view.

Should it ever be possible to photograph rapidly beneath the sea, revelations of the deeds of the inhabitants of the deep waters would sometimes be of dramatic interest. For instance, a recent number of the *Vancouver's News Advertiser* sets forth how, upon the Sunday morning, two divers, Llewellyn and McHardy, who were engaged in repairing the water-pipes in the Narrows, had a novel experience of a fight with an octopus, commonly known as a devilfish, and says that the chances of escape are small indeed for anyone who may be unfortunate enough to be once wrapped in the embrace of any of its eight tentacles. There are not many of the species in the waters about Vancouver, a stray one only now and again taking a trip up from Victoria, where they exist in large numbers. Once or twice only have any of them been met with in the inlet.

"It was, therefore, with some surprise that diver Llewellyn, who has met with them in the waters of San Francisco and Victoria, beheld one yesterday when he descended from the deck of the steamer *Clyde* to the bottom of the Channel. The octopus was lying beside the pipe, engaged at his matutinal meal. His simple fare consisted of crab, and that his appetite was good was evinced by the fact that crab shells were lying scattered along the pipe for a considerable distance. The octopus was reposing at the spot where the divers were going to work, and it was necessary either to remove him, or to wait until he saw fit to remove himself. Diver McHardy had followed Llewellyn to the bottom, and the two now held a conversation by means of signs as to how they should act, and it was decided to make the attack at once.

"Accordingly Llewellyn got on one side, McHardy stayed on the other side, and it was arranged that at a sign from the former, both should attack the enemy with the iron crowbars, about eight feet long, which they had with them. The octopus during this time was eyeing the divers with an intent gaze, as if sizing them up for a meal. He was also expectant of an attack, and awaited the beginning of hostilities with confidence. The divers, at a signal, approached the monster, who, raising a couple of his feelers, prepared to ward off attack from either side. A considerable time was consumed in fencing, but at length McHardy, taking what he considered a favourable opportunity, jumped forward and made an effort to run his crowbar through the body of the octopus. The blow was warded off, and at the same moment the diver's leg was caught by one of the tentacles of the devilfish. The habit McHardy wore protected him, however, and Llewellyn, having the fish off his guard, so far as he was concerned, struck his crowbar through the brute's body, and then seizing the sledge used for hammering the pipe, worked away with commendable energy on the tentacle which held his companion. It took him about two minutes to sever the tentacle from the body.

"They then covered the body with large rocks, and when they had completed their work, they left it till they should return in the afternoon. When they did return the fish was still alive. They hoisted it aboard the boat and brought it to the city, where it was examined by a number of citizens on Tuesday."

SIR FREDERICK AUGUSTUS ABEL, Kt., C.B., President of Committee on Explosives, War Department, has been appointed an Ordinary Member of the Civil Division of the Second Class, or Knights Commanders of the Order of the Bath.

LORD MONKSWELL'S COPYRIGHT BILL.

BY C. FLEETWOOD PRITCHARD.

LORD MONKSWELL has just introduced into the House of Lords a Bill to consolidate and amend the law relating to copyright. This is a branch of the law which affects photographers very nearly, and the Bill proposes to make several alterations in it of considerable importance; it therefore behoves photographers to give the matter their earnest consideration. It must also be remembered that if the Bill should pass, it will in all probability be a long while before photographers have another opportunity of amending the law relating to this subject. The following are some of the more important of the proposed alterations.

In the first place, the Bill proposes to make an alteration in the duration of copyright. At present, copyright in a photograph is given for the life of the photographer, and for seven years after his death, and it is proposed by the Bill that it shall, in future, be for thirty years from the end of the year during which the photograph is published. This in itself appears to be an improvement, as it substitutes a fixed period for one of great uncertainty; but it will be noticed that in the case of paintings and sculptures the proposed term is the life of the artist and for thirty years after his death—a much longer period than that proposed for photographs. Engravings are treated in the same manner as photographs.

In the next place, it is proposed that where a photographer employs an assistant, then the copyright of any photograph taken by that assistant shall belong to the employer. In this way the difficulty which arose in the case of *Nottage v. Jackson* is overcome.

Under the present law, it will be remembered that, when a negative is sold for the first time, the copyright is altogether lost unless a written agreement is made between the buyer and the seller at the time of the sale. The Bill proposes to remedy this by enacting that, unless any agreement is made, the copyright shall remain with the seller. Similarly, the copyright of a photograph taken on commission is to belong to the photographer, and not to the person for whom the photograph is taken.

Then it is provided that where a photograph of any work of fine art—*i.e.*, a painting, sculpture, or engraving—is made to the order of the owner of the copyright therein, the copyright in the photograph is to belong to the latter, and not to the photographer. This seems rather hard on the photographer, as he would, in that case, be unable to prevent others from copying his work.

By Clause 41 of the Bill, where "a photographic likeness" of any person is taken on commission, neither the photographer, nor any other person, whether he owns the copyright or not, is to be allowed to sell or exhibit in public, in any shop window, or otherwise, any copy of the photograph without the consent, in writing, of the sitter, or of the person for whom the photograph was taken; and any photographer who contravenes this clause is to forfeit every copy of the photograph which he has in his possession, including the negative. This clause really carries the law very little farther than that enunciated by Mr. Justice North in the case of *Pollard v. The Photographic Company*, rather more than two years ago. In that case, it will be remembered, the judge stated that a photographer who had been employed by a customer to take his portrait is not justified in striking off copies of such photograph for his own use, and selling